

today, that would restore to the states their own discretion as to whether they will participate in estate recovery. Under my legislation, those states that wish to continue to sell the homes of the elderly in order to recover the medicaid costs of their end-of-life care, may continue to do so. But for West Virginia (and three other states who have steadfastly declined to ever implement an estate recovery program: Michigan, Georgia and Texas), it will have the discretion it had prior to the 1993 amendment to the Medicaid Act not to do so.

As stated above, the original purpose of the Medicaid program was to provide funding to the states to furnish medical assistance to vulnerable populations with inadequate resources. There was no indication then that states would later be required to collect monies from the estates of the very same persons who were deemed by federal law to be vulnerable as to require medical assistance.

I would like to give my colleagues one example of the disparity between poor and more affluent states when it comes to winning or losing under the estate recovery program.

Estate recovery in a State which has a 50 percent federal matching share of Medicaid funds (FMAP), and which state recovered \$2.5 million in a given year, that state would be able to keep \$1.075 million in estate recovery funds for its own use. In a poorer state, like West Virginia, with a federal matching share of Medicaid funding (FMAP) of 75 percent, it would have been able to retain no more than \$425,000 in estate recovery monies for its own use (West Virginia returns 75 percent of recovered funds to the Federal treasury, and pays 19.6 percent to a collection agency to carry out the estate recovery actions against the estates of persons who died while receiving Medicaid funded long term care. In other words the poorest states receiving the highest Federal matching shares under Medicaid receive the least benefit from estate recovery, and they return the most money to the federal treasury. This disparity results in the reversal of the direction of transfer payments on which the Medicaid program is based. In simpler terms, estate recovery subsidizes the better-off state with the assets of those residing in the poorest states.

I urge my colleagues to support this legislation restoring to the states the discretion to implement and carry out an estate recovery program, in lieu of the current mandate. In this manner Congress will have allowed those states who desire to continue estate recovery activities to do so, while giving states that do not wish to participate in estate recovery the right to withdraw.

JAMES GUELFF BODY ARMOR ACT
OF 2001

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2001

Mr. STUPAK. Mr. Speaker, I am proud to introduce the James Guelff Body Armor Act of 2001 with my colleagues ASA HUTCHINSON and BOBBY SCOTT. I also want to commend Senator FEINSTEIN and Senator SESSIONS for intro-

ducing this legislation in the Senate, and Lee Guelff and the Fraternal Order of Police on their hard work in moving this legislation forward. Our bill is an important stride for law enforcement: it takes body armor out of the hands of criminals and gives law enforcement greater access to it.

This bill means a great deal to me. I have introduced similar legislation in the House for several years, and have been part of the ongoing effort to pass this bill. It is also rewarding that this year we have a bipartisan team in both the House and the Senate working to pass bill that is so important to our nation's law enforcement.

Special thanks are certainly owed to Lee Guelff, who has worked tirelessly on this issue since his brother was tragically killed by a shooter wearing body armor and a Kevlar helmet. Through his efforts, and that of countless police officers across the country, individual states are passing similar pieces of legislation. In fact, I am pleased to say that last year my own state of Michigan passed legislation banning the ownership or usage of body armor by convicted felons, and I commend the Michigan legislature for its action.

Law enforcement officers all over the country need protection from criminals wearing body armor. These offenders are impervious to the bullets of the police officers trying to stop them, yet these very same police officers incredibly often lack funds for their own body armor.

You may all recall the chilling video of a shootout at a bank robbery in California some years ago, where the perpetrators could not be brought down because they were wearing body armor. Eleven police officers and six civilians were injured in that 20 minute gunfight with the Los Angeles Police Department.

This is a threat to law enforcement, and this bill is needed. We cannot allow criminals to have an advantage over the men and women that put their lives on the line every day to protect society. The days of the Wild West are over, and gunfights have no place in our society. Criminals should not be able to face police without fear because they are protected by body armor, able to shoot at will.

Our bill enhances the penalties for crimes committed while wearing body armor, outlaws the possession of body armor by convicted felons and promotes the donation of surplus body armor to police. These measures will take away the criminals' advantage and return the power to the people that deserve it, our nation's law enforcement. I look forward to working with my colleagues on passing this important legislation this year.

TRIBUTE TO LIEUTENANT JUNIOR
GRADE JOHN G. ROTHROCK

HON. GARY G. MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2001

Mr. GARY MILLER of California. Mr. Speaker, I rise to commend Lieutenant Junior Grade John G. Rothrock as he receives the Navy and Marine Corps Achievement Medal.

As a United States Navy Recruiting Liaison Officer, Lieutenant Junior Grade Rothrock is

responsible for recruiting Naval Reserve Intelligence Officers. His hard work and dedication has been cited as contributing to the selection of his area as the "Area of the Year for FY 2000." In addition, his peers consider him to be a true team player who leads by example.

In addition to his Naval Reserve responsibilities, Lieutenant Junior Grade Rothrock serves as my Chief of Staff. His leadership abilities are evident in the management of both my DC and district offices. Lieutenant Junior Grade Rothrock cares not only about the professional performance of the staff members he directs, but also their personal well-being. This concern has contributed greatly to the stability of my highly motivated staff.

Lieutenant Junior Grade Rothrock, despite his youthful age, has already achieved a distinguished career on Capitol Hill. He has served Congressmen BALLENGER, GUTKNECHT, and PICKERING, as well as the House Committee on Science. Prior to moving to Washington, DC, his budding political expertise was utilized by several campaigns in his home state of North Carolina.

Mr. Speaker, I ask that this 107th Congress join me in congratulating Lieutenant Junior Grade John Rothrock as he receives the Navy and Marine Corps Achievement Medal.

A TRIBUTE TO MRS. JOAN P.
ALTMAN

HON. MIKE MCINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 13, 2001

Mr. MCINTYRE. Mr. Speaker, today I want to extend my warmest thanks and my most sincere best wishes to Mayor Joan P. Altman who will be leaving southeastern North Carolina after many years of service to the citizens of Oak Island, Brunswick County, and the State of North Carolina.

Currently serving her fifth term as Mayor of Oak Island, Joan has been an instrumental leader and good steward of the public's interest in a variety of capacities. Mayor Altman currently serves as Chairman of the North Carolina League of Municipalities Energy, Environment, and Natural Resources Committee. She is a member of the N.C. General Assembly Legislative Research Commission Committee on Beach Issues and was a member of the N.C. Estuarine Water Quality Stakeholder Group. In addition to her public service, Joan serves her community in a variety of other ways, including being a member of the Brunswick Community College Board of Trustees, Cape Fear Area United Way Board of Directors, and Cape Fear Council Boy Scouts Board of Directors.

When I think of Joan's commitment to the public good, the words "spirit, sacrifice, and service" come to mind. Joan's positive spirit has always been to do the task at hand—a spirit that inspires others to achieve. Joan's sacrifice in time and commitment has been to make southeastern North Carolina a better place to live and work—a sacrifice that meant doing the right thing and not being concerned with who gets the credit.

Pearl S. Buck once said, "To serve is beautiful, but only if it is done with joy and a whole